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Appeal Brief

In re the Application of:

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A METHOD FOR PROVIDING OF CONTENT DATA TO A CLIENT

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I. Real Party in Interest

The entire right, title and interest in this patent application are assigned to real party in interest International Business Machines Corporation.

II. Related Appeals, Interferences, and Judicial Proceedings

Appellant, Appellant's legal representative, and Assignee are not aware of any other prior or pending appeals, interferences, and judicial proceedings which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. Status of the Claims

Claims 1, 16, 17, 45-47, 49, 50, 53-55, 57, 58, and 61-68 are pending and have been rejected.

The final office action dated April 15, 2010 (“FOA”) of the claims is being appealed for all pending claims 1, 16, 17, 45-47, 49, 50, 53-55, 57, 58, and 61-68.

IV. Status of Amendments

Applicants amended the claims in the Final Office Action (FOA), including canceling claims 40, 52, and 60. The Examiner entered the amendments after final in the Advisory Action dated August 3, 2010.

V. Summary of the Claimed Subject Matter

A. Independent Claim 1

The preamble of independent claim 1 recites a method for providing of content data at a client. The preamble is disclosed in at least pg. 4, lines 1-6 of the filed Specification (PCT/EP2003/050892).

Below is an explanation of the claimed subject matter of claim 1 referring to the specification and drawings, where the claim limitations are underlined:

transmitting a selection of content data to a server

With respect to this limitation, the filed Specification discloses that at a client computer 108 a user can select content data from the web portal 104 at the server. (FIG. 1, pg. 6, lines 20-30) The client computer can request downloading of content data file from content server. (pg. 7, lines 8-11) The client computer 108 has a program module for interfacing with the server computer 102, and a can request download of content data and receiving the content data. (pg. 9, lines 1-10)

receiving, from the server, a file comprising license information  
and a locator for the content data, wherein the license information  
indicates a license status enabling the client to access the content data,  
wherein the license status indicates available content usage, wherein the  
available content usage indicates an amount of the content available to  
the client according to a scope of a license

With respect to this limitation, the filed Specification discloses that the client computer 108 can receive digital rights management data, i.e., license information, in form of an XML file. (pg. 6, lines 20-30) The license information indicates the scope of the license, i.e., a fixed number of allowed playbacks or a certain duration. Further state information can be included here such as used/unused, valid/expired. (pg. 8, lines 22-27)

receiving selection of the content data

With respect to this limitation, the filed Specification discloses that at a client computer 108 a user can select content data from the web portal 104 at the server. (FIG. 1, pg. 6, lines 20-30) The client computer can request downloading of content data file from content server. (pg. 7, lines 8-11) The client computer 108 has a program module for interfacing with the server computer 102, and can request download of content data and receiving the content data. (pg. 9, lines 1-10)

determining whether the available content usage in the license  
status indicates that access to the content data is permitted

With respect to this limitation, the filed Specification discloses that rendering application 312 requests the common license client to check the license status of the requested content data in local license database 308. If the license status is sufficient for playback the content data is returned by the common license client by retrieving it from the local content database 310 and rendered by rendering application 312. If the license status is insufficient for rendering, rendering is disabled. (pg. 10, lines 6-12)

providing access to the content data in response to determining that the  
available content usage permits access

With respect to this limitation, the filed Specification discloses that if the license status is sufficient for playback the content data is returned by the common license client by retrieving it from the local content database 310 and rendered by rendering application 312. (pg. 10, lines 6-12)

decrementing the available content usage included in the file sent to the  
client by an amount of actual client usage of the content data at the client in  
response to providing access to the content data

With respect to this limitation, the filed Specification discloses that in step 422 in FIG. 4, the rendering application program updates the license information stored in the local license database by calling the common license client API. For example if the



license encompasses the fixed number of playbacks of the content data the remaining number of playbacks is decremented accordingly by the common license client. When the license has been used up renewal of the license is requested in step 424 from the client. (pg. 12, lines 1-9)

permitting access to the content data in response to determining that the available content usage in the license status indicates that the license has expired

With respect to this limitation, the filed Specification discloses the digital rights management method indicated in the XML file may allow that a user continues to use the content data even after the original license has been exhausted provided that the amount of usage of the content data after expiration of the original license is tracked and stored by the common license client 311 in local license database 308 for later payment. If such a digital rights management method is specified for the requested content data in local license database 308 application program 312 still renders the content data and stores the amount of usage of the content data in the local license database 308. (pg. 10, lines 14-25)

tracking content usage in response to determining that the available content usage indicates that the license has expired and permitting access to the content data after the license has expired

With respect to this limitation, the filed Specification discloses that the digital rights management method indicated in the XML file may allow that a user continues to use the content data even after the original license has been exhausted provided that the amount of usage of the content data after expiration of the original license is tracked and stored by the common license client 311 in local license database 308 for later payment. If such a digital rights management method is specified for the requested content data in local license database 308 application program 312 still renders the content data and stores the amount of usage of the content data in the local license database 308. (pg. 10, lines 14-25)

synchronizing with the server to transmit the tracked amount of usage of the content data at the client after the license status is expired at the client

With respect to this limitation, the filed Specification discloses that when the client computer 108 is re-connected to the network license a synchronization of entries which have been made in local license database 308 is performed by means of synchronization module 307 and renewal module 306 is started to renew the license and provide payment for the amount of usage of the content data after expiration of the original license. (pg. 10, lines 25-31)

providing payment for the amount of usage of the content data after the license status is expired

With respect to this limitation, the filed Specification discloses that when the client computer 108 is re-connected to the network license a synchronization of entries which have been made in local license database 308 is performed by means of synchronization module 307 and renewal module 306 is started to renew the license and provide payment for the amount of usage of the content data after expiration of the original license. (pg. 10, lines 25-31)

B. Independent Claim 47

The preamble of independent claim 47 recites a client in communication with a server to access content data, wherein the client includes a computer is programmed to perform operations. The preamble is disclosed in at least FIG. 1, pg. 6, lines 5-30 of the filed Specification.

Below is an explanation of the claimed subject matter of claim 47 referring to the specification and drawings, where the claim limitations are underlined:

transmitting a selection of content data to a server

With respect to this limitation, the filed Specification discloses that at a client computer 108 a user can select content data from the web portal 104 at the server. (FIG. 1, pg. 6, lines 20-30) The client computer can request downloading of content data file from content server. (pg. 7, lines 8-11) The client computer 108 has a program module

for interfacing with the server computer 102, and can request download of content data and receiving the content data. (pg. 9, lines 1-10)

receiving, from the server, a file comprising license information and a locator for the content data, wherein the license information indicates a license status enabling the client to access the content data, wherein the license status indicates available content usage, wherein the available content usage indicates an amount of the content available to the client according to a scope of a license

With respect to this limitation, the filed Specification discloses that the client computer 108 can receive digital rights management data, i.e., license information, in form of an XML file. (pg. 6, lines 20-30) The license information indicates the scope of the license, i.e., a fixed number of allowed playbacks or a certain duration. Further state information can be included here such as used/unused, valid/expired.... (pg. 8, lines 22-27)

receiving selection of the content data

With respect to this limitation, the filed Specification discloses that at a client computer 108 a user can select content data from the web portal 104 at the server. (FIG. 1, pg. 6, lines 20-30) The client computer can request downloading of content data file from content server. (pg. 7, lines 8-11) The client computer 108 has a program module for interfacing with the server computer 102, and can request download of content data and receiving the content data. (pg. 9, lines 1-10)

determining whether the available content usage in the license status indicates that access to the content data is permitted

With respect to this limitation, the filed Specification discloses that rendering application 312 requests the common license client to check the license status of the requested content data in local license database 308. If the license status is sufficient for playback the content data is returned by the common license client by retrieving it from the local content database 310 and

rendered by rendering application 312. If the license status is insufficient for rendering, rendering is disabled. (pg. 10, lines 6-12)

providing access to the content data in response to determining that the available content usage permits access

With respect to this limitation, the filed Specification discloses that if the license status is sufficient for playback the content data is returned by the common license client by retrieving it from the local content database 310 and rendered by rendering application 312. (pg. 10, lines 6-12)

decrementing the available content usage included in the file sent to the client by an amount of actual client usage of the content data at the client in response to providing access to the content data

With respect to this limitation, the filed Specification discloses that in step 422 in FIG. 4, the rendering application program updates the license information stored in the local license database by calling the common license client API. For example if the license encompasses the fixed number of playbacks of the content data the remaining number of playbacks is decremented accordingly by the common license client. When the license has been used up renewal of the license is requested in step 424 from the client. (pg. 12, lines 1-9)

permitting access to the content data in response to determining that the available content usage in the license status indicates that the license has expired

With respect to this limitation, the filed Specification discloses the digital rights management method indicated in the XML file may allow that a user continues to use the content data even after the original license has been exhausted provided that the amount of usage of the content data after expiration of the original license is tracked and stored by the common license client 311 in local license database 308 for later payment. If such a digital rights management method is specified for the requested content data in local license database 308 application program 312 still renders the content data and stores the

amount of usage of the content data in the local license database 308. (pg. 10, lines 14-25)

tracking content usage in response to determining that the available content usage indicates that the license has expired and permitting access to the content data after the license has expired

With respect to this limitation, the filed Specification discloses that the digital rights management method indicated in the XML file may allow that a user continues to use the content data even after the original license has been exhausted provided that the amount of usage of the content data after expiration of the original license is tracked and stored by the common license client 311 in local license database 308 for later payment. If such a digital rights management method is specified for the requested content data in local license database 308 application program 312 still renders the content data and stores the amount of usage of the content data in the local license database 308. (pg. 10, lines 14-25)

synchronizing with the server to transmit the tracked amount of usage of the content data at the client after the license status is expired at the client

With respect to this limitation, the filed Specification discloses that when the client computer 108 is re-connected to the network license a synchronization of entries which have been made in local license database 308 is performed by means of synchronization module 307 and renewal module 306 is started to renew the license and provide payment for the amount of usage of the content data after expiration of the original license. (pg. 10, lines 25-31)

providing payment for the amount of usage of the content data after the license status is expired

With respect to this limitation, the filed Specification discloses that when the client computer 108 is re-connected to the network license a synchronization of entries which have been made in local license database 308 is performed by means of synchronization module 307 and renewal module 306 is started to renew the license and

provide payment for the amount of usage of the content data after expiration of the original license. (pg. 10, lines 25-31)

C. Independent Claim 55

The preamble of independent claim 55 recites a digital storage medium including a computer program executed at a client to access content data and communicate with a server, wherein the computer program is capable of causing the server to perform operations. The preamble is disclosed in at least FIGs. 1, 3, pg. 6, lines 5-30 of the filed Specification.

Below is an explanation of the claimed subject matter of claim 55 referring to the specification and drawings, where the claim limitations are underlined:

transmitting a selection of content data to a server

With respect to this limitation, the filed Specification discloses that at a client computer 108 a user can select content data from the web portal 104 at the server. (FIG. 1, pg. 6, lines 20-30) The client computer can request downloading of content data file from content server. (pg. 7, lines 8-11) The client computer 108 has a program module for interfacing with the server computer 102, and can request download of content data and receiving the content data. (pg. 9, lines 1-10)

receiving, from the server, a file comprising license information  
and a locator for the content data, wherein the license information  
indicates a license status enabling the client to access the content data,  
wherein the license status indicates available content usage, wherein the  
available content usage indicates an amount of the content available to  
the client according to a scope of a license

With respect to this limitation, the filed Specification discloses that the client computer 108 can receive digital rights management data, i.e., license information, in form of an XML file. (pg. 6, lines 20-30) The license information indicates the scope of the license, i.e., a fixed number of allowed

playbacks or a certain duration. Further state information can be included here such as used/unused, valid/expired.... (pg. 8, lines 22-27)

receiving selection of the content data

With respect to this limitation, the filed Specification discloses that at a client computer 108 a user can select content data from the web portal 104 at the server. (FIG. 1, pg. 6, lines 20-30) The client computer can request downloading of content data file from content server. (pg. 7, lines 8-11) The client computer 108 has a program module for interfacing with the server computer 102, and can request download of content data and receiving the content data. (pg. 9, lines 1-10)

determining whether the available content usage in the license status indicates that access to the content data is permitted

With respect to this limitation, the filed Specification discloses that rendering application 312 requests the common license client to check the license status of the requested content data in local license database 308. If the license status is sufficient for playback the content data is returned by the common license client by retrieving it from the local content database 310 and rendered by rendering application 312. If the license status is insufficient for rendering, rendering is disabled. (pg. 10, lines 6-12)

providing access to the content data in response to determining that the available content usage permits access

With respect to this limitation, the filed Specification discloses that if the license status is sufficient for playback the content data is returned by the common license client by retrieving it from the local content database 310 and rendered by rendering application 312. (pg. 10, lines 6-12)

decrementing the available content usage included in the file sent to the client by an amount of actual client usage of the content data at the client in response to providing access to the content data

With respect to this limitation, the filed Specification discloses that in step 422 in FIG. 4, the rendering application program updates the license information stored in the local license database by calling the common license client API. For example if the license encompasses the fixed number of playbacks of the content data the remaining number of playbacks is decremented accordingly by the common license client. When the license has been used up renewal of the license is requested in step 424 from the client. (pg. 12, lines 1-9)

permitting access to the content data in response to determining that the available content usage in the license status indicates that the license has expired

With respect to this limitation, the filed Specification discloses the digital rights management method indicated in the XML file may allow that a user continues to use the content data even after the original license has been exhausted provided that the amount of usage of the content data after expiration of the original license is tracked and stored by the common license client 311 in local license database 308 for later payment. If such a digital rights management method is specified for the requested content data in local license database 308 application program 312 still renders the content data and stores the amount of usage of the content data in the local license database 308. (pg. 10, lines 14-25)

tracking content usage in response to determining that the available content usage indicates that the license has expired and permitting access to the content data after the license has expired

With respect to this limitation, the filed Specification discloses that the digital rights management method indicated in the XML file may allow that a user continues to use the content data even after the original license has been exhausted provided that the amount of usage of the content data after expiration of the original license is tracked and stored by the common license client 311 in local license database 308 for later payment. If such a digital rights management method is specified for the requested content data in local license database 308 application program 312 still renders the content data and



stores the amount of usage of the content data in the local license database 308. (pg. 10, lines 14-25)

synchronizing with the server to transmit the tracked amount of usage of the content data at the client after the license status is expired at the client

With respect to this limitation, the filed Specification discloses that when the client computer 108 is re-connected to the network license a synchronization of entries which have been made in local license database 308 is performed by means of synchronization module 307 and renewal module 306 is started to renew the license and provide payment for the amount of usage of the content data after expiration of the original license. (pg. 10, lines 25-31)

providing payment for the amount of usage of the content data after the license status is expired

With respect to this limitation, the filed Specification discloses that when the client computer 108 is re-connected to the network license a synchronization of entries which have been made in local license database 308 is performed by means of synchronization module 307 and renewal module 306 is started to renew the license and provide payment for the amount of usage of the content data after expiration of the original license. (pg. 10, lines 25-31)

VI. Grounds of Rejection to Be Reviewed on Appeal

A concise statement listing each ground of rejection presented for review is as follows:

A. Claims 1, 16, 17, 45-47, 49, 50, 53-55, 57, 58, and 61-68 are rejected under 35 U.S.C. §103 as obvious over Remer (U.S. Patent App. Pub. No. 2003/0088516) in view of Aburri (U.S. Patent No. 7,203,966) and Kazuo (Machine Translation of JP App. No. 10215242)

VII. Argument

A. Rejection Under 35 U.S.C. §103

1. Claims 1, 16, 45-49, 53-55, 57, 61, and 62

Applicants request review and reversal of the Examiner finding that para. 54 of Kazuo teaches the claim requirements of permitting access to the content data in response to determining that the available content usage in the license status indicates that the license has expired; tracking content usage in response to determining that the available content usage indicates that the license has expired and permitting access to the content data after the license has expired; synchronizing with the server to transmit the tracked amount of usage of the content data at the client after the license status is expired at the client; and providing payment for the amount of usage of the content data after the license status is expired. (FOA, pgs. 8-9)

The cited para. 54 discusses a content provider encrypting content from a ticket issue center. The content provider encrypts a key in the content. A user demands issue of an access ticket, and the center 30 publishes an access ticket for the user. The user uses content with the access ticket. Information about utilization conditions, such as utilization charge, payment method, expiration date is given to an access ticket. A user's use of the contents will record the history on the token. The user sends the utilization history to the center 30 and the center is charged based on the utilization history. A fee is calculated based on collected history and charged to the user's account, and then distributed to the content provider.

Although the cited para. 54 discusses charging a user based on content utilization, there is no teaching of the claim requirement of permitting access to the content data in response to determining that the available content usage in the license status indicates that the license has expired and then tracking post-expiration content usage. Instead, the cited para. 54 discusses how a user's utilization is tracked and charged. This cited discussion in para. 54 of tracking user utilization of content for charging purposes does not teach the claim requirement of keeping track of an amount of available client usage of the content data at the client when the "available content usage" indicates that the license

has expired, where the “available content usage” is decremented. The Examiner has not shown where Kazuo teaches permitting access and tracking content after the license has expired.

Further, the cited Kazuo does not teach the claim requirement of providing payment for an amount of usage after the “available content usage” indicates that the license has expired, which is decremented in response to providing access to the content. The Examiner has not cited any part of Kazuo that teaches or suggests permitting, tracking and charging for content usage that occurs after determining that the available content usage in the license is decremented to a point to indicate that the license has expired. Instead, the cited Kazuo discusses charging for utilization based on user use.

In the Advisory Action dated August 3, 2010, the Examiner found that the claim does not limit the scope to a situation when there is “no more available content usage”. The limitation as claimed shows permitting access to available content when license status has expired. The claim does not show anything about “no more available content usage.” In other words, content data has to be available for the client to access it.

Applicants concur that the content has to be available for the client to access the content. Applicants do not argue as the Examiner contends that the claims recite that there is “no more available content usage”. Applicants instead contend that the cited Kazuo does not teach the claim requirement of permitting access to the content data at the client in response to determining that the “available content usage” element, which is decremented in response to content usage, indicates that the license has expired. The Examiner has not cited any part of Kazuo that teaches that access is permitted to content in response to determining that an element of the license status, i.e., the “available content usage”, indicates that the license has expired.

Applicants note that the cited Kazuo discusses recording user history on the token according to use and sending utilization history to the center for charging. However, this discussed tracking of utilization history in Kazuo does not teach that access is permitted and content usage is tracked after the “available content usage” is in a state indicating that the license has expired. Instead, the cited Kazuo discusses tracking in general, not with respect to an expired license as claimed.

Accordingly, Applicants request that the Board reverse the rejection of claims 1, 47, and 55 as obvious over the cited art because the Examiner has failed to show how the requirements of these claims are disclosed in the cited Ryu.

Applicants request that the Board reverse the rejection of claims 16, 45, 46, 49, 53, 54, 57, 61, and 62 as patentable over the cited art because they depend from claims 1, 47, and 55, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims in combination with the base claims and any intervening claims provide further grounds of patentability over the cited art.

## 2. Claims 17, 50, and 58

Claims 17, 50, and 58 depend from claims 1, 47, and 55, respectively.

Applicants request review and reversal of the Examiner finding that col. 62, lines 40-55 of Aburri teaches the claim requirements of sending, by the client, to the server a request to renew the license and make payment for the renewal in response to the client determining that the available content usage in the license status indicates that the license has expired. (FOA, pg. 6)

The cited col. 62 mentions that the user's computing device may contact the license synchronization server to synchronize the server's license information with the user's device's license information, such as when the user next connects to the synchronization server so that any new licenses in license store will be downloaded into the device, and the server may send a replacement license for that device.

Although the cited col. 62 discusses how the synchronization server will provide the device new license information when the device connects to the server, the cited col. 62 does not teach the specific claim requirement that the client sends the server a request to renew the license and make payment for the renewal in response to the client determining that the "available content usage" indicates that the license has expired. Instead, the cited col. 62 discusses synchronizing with the server to get the new license info, not the client sending a request in response to determining that the available content usage indicates license has expired.

Accordingly, Applicants request that the Board reverse the rejection of claims 17, 50, and 58 as obvious over Remer, Aburri and Kazuo because these claims depend from base claims 1, 47, and 55, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims are not taught or suggested in the cited art.

### 3. Claims 63, 65, and 67

Claims 63, 65, and 67 depend from claims 40, 52, and 60, respectively, and further require that access to the content data in response to determining that the available content usage in the license status indicates that the license has expired is permitted in response to the client not being able to connect to the server, and wherein the synchronization occurs when the client is able to reconnect to the server.

Applicants request review and reversal of the Examiner finding that para. 54 of Kazuo teaches the claim requirement that access to the content data in response to determining that the available content usage in the license status indicates that the license has expired is permitted in response to the client not being able to connect to the server, and wherein the synchronization occurs when the client is able to reconnect to the server. (FOA, pg. 9)

The cited para. 54 discusses tracking a user, who is provided a ticket to access content, utilization of the content to provide to a center to charge the user. Nowhere does this cited para. 54 teach or suggest permitting access to content after the license status indicates the license has expired when the client cannot connect to the server, and where synchronization occurs when the client reconnects. The Examiner has not cited any part of para. 54 of Kazuo that teaches permitting continued access to content after the license is indicated as expired when the user cannot connect to the server, which would allow the server to renew the license. Instead, the cited para. 54 discusses tracking user usage to submit to a center that will then calculate a fee based on such usage.

Accordingly, Applicants request that the Board reverse the rejection of claims 63, 65, and 67 as obvious over Remer, Aburri and Kazuo because these claims depend from base claims 1, 47, and 55, which are patentable over the cited art for the reasons

discussed above, and because the additional requirements of these claims are not taught or suggested in the cited art.

4. Claims 64, 66, and 68

Claims 64, 66, and 68 depend from claims 40, 52, and 60, respectively, and further require determining whether the file permits the user to continue to use the content data after the license has expired, wherein the operations of permitting access to the content data in response to determining that the license has expired and tracking content usage is performed in response to determining that the file permits the user to continue to use the content data after the license has expired.

Applicants request review and reversal of the Examiner finding that para. 54 of Kazuo teaches the additional claim requirements of determining whether the file permits the user to continue to use the content data after the license has expired, wherein the operations of permitting access to the content data in response to determining that the license has expired and tracking content usage is performed in response to determining that the file permits the user to continue to use the content data after the license has expired. (FOA, 3, pg. 9)

As discussed, the cited para. 54 discusses tracking utilization of content at a user provided a ticket to send to a center to charge the user. Nowhere does this cited para. 54 teach or suggest determining whether the license file at the client permits the user to continue to use content after the license has expired. The Examiner has not cited any part of para. 54 of Kazuo that teaches determining whether the license file permits continued usage after the license has expired. Instead, the cited para. 54 discusses tracking utilization history to submit to a center that will then calculate a fee based on such usage.

Accordingly, Applicants request that the Board reverse the rejection of claims 64, 66, and 68 as obvious over Remer, Aburri and Kazuo because these claims depend from base claims 1, 47, and 55, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims are not taught or suggested in the cited art.

B. Conclusion

Each of the rejections set forth in the FOA are improper and should be reversed.

Respectfully submitted,

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VIII. Claims Appendix

1. (Previously Presented) A method for providing of content data at a client, comprising:

transmitting a selection of content data to a server;

receiving, from the server, a file comprising license information and a locator for the content data, wherein the license information indicates a license status enabling the client to access the content data, wherein the license status indicates available content usage, wherein the available content usage indicates an amount of the content available to the client according to a scope of a license;

receiving selection of the content data;

determining whether the available content usage in the license status indicates that access to the content data is permitted;

providing access to the content data in response to determining that the available content usage permits access;

decrementing the available content usage included in the file sent to the client by an amount of actual client usage of the content data at the client in response to providing access to the content data;

permitting access to the content data in response to determining that the available content usage in the license status indicates that the license has expired;

tracking content usage in response to determining that the available content usage indicates that the license has expired and permitting access to the content data after the license has expired;

synchronizing with the server to transmit the tracked amount of usage of the content data at the client after the license status is expired at the client; and

providing payment for the amount of usage of the content data after the license status is expired.

2-15. (Canceled)

16. (Previously Presented) The method of claim 1, wherein the generated file comprises an XML file having a defined DTD format.

17. (Previously Presented) The method of claim 1, further comprising:  
sending, by the client, to the server a request to renew the license and make payment for the renewal in response to the client determining that the available content usage in the license status indicates that the license has expired.

18-44. (Canceled)

45. (Previously Presented) The method of claim 1, wherein the available content usage indicates a fixed number of allowed play, wherein the license status is expired after the content is rendered the fixed number of allowed playbacks.

46. (Previously Presented) The method of claim 1, wherein the available content usage indicates a duration of the content playback.

47. (Previously Presented) A client in communication with a server to access content data, wherein the client includes a computer is programmed to perform operations, the operations comprising:

transmitting a selection of content data to a server;

receiving, from the server, a file comprising license information and a locator for the content data, wherein the license information indicates a license status enabling the client to access the content data, wherein the license status indicates available content usage, wherein the available content usage indicates an amount of the content available to the client according to a scope of a license;

receiving selection of the content data;

determining whether the available content usage in the license status indicates that access to the content data is permitted;

providing access to the content data in response to determining that the available content usage permits access;

decrementing the available content usage included in the file sent to the client reduced by an amount of actual client usage of the content data at the client in response to providing access to the content data;

permitting access to the content data in response to determining that the available content usage in the license status indicates that the license has expired;

tracking content usage in response to determining that the available content usage indicates that the license has expired and permitting access to the content data after the license has expired;

synchronizing with the server to transmit the tracked the amount of usage of the content data at the client after the license status is expired at the client; and

providing payment for the amount of usage of the content data after the license status is expired.

48. (Cancelled)

49. (Previously Presented) The client of claim 47 , wherein the generated file comprises an XML file having a defined DTD format.

50. (Previously Presented) The client of claim 47, wherein the operations further comprise:

sending, by the client, to the server a request to renew the license and make payment for the renewal in response to the client determining that the available content usage in the license status indicates that the license has expired.

51. (Canceled)

52. (Canceled)

53. (Previously Presented) The client of claim 47, wherein the available content usage indicates a fixed number of allowed play, wherein the license status is expired after the content is rendered the fixed number of allowed playbacks.

54. (Previously Presented) The client of claim 47, wherein the available content usage indicates a duration of the content playback.

55. (Previously Presented) A digital storage medium including a computer program executed at a client to access content data and communicate with a server, wherein the computer program is capable of causing the server to perform operations comprising:

- transmitting a selection of content data to the server;

- receiving, from the server, a file comprising license information and a locator for the content data, wherein the license information indicates a license status enabling the client to access the content data, wherein the license status indicates available content usage, wherein the available content usage indicates an amount of the content available to the client according to a scope of a license;

- receiving selection of the content data;

- determining whether the available content usage in the license status indicates that access to the content data is permitted;

- providing access to the content data in response to determining that the available content usage permits access;

- decrementing the available content usage included in the file sent to the client reduced by an amount of actual client usage of the content data at the client in response to providing access to the content data;

- permitting access to the content data in response to determining that the available content usage in the license status indicates that the license has expired;

- tracking content usage in response to determining that the available content usage indicates that the license has expired and permitting access to the content data after the license has expired;

- synchronizing with the server to transmit the tracked amount of usage of the content data at the client after the license status is expired at the client; and

- providing payment for the amount of usage of the content data after the license status is expired.

56. (Canceled)

57. (Previously Presented) The digital storage medium of claim 55, wherein the generated file comprises an XML file having a defined DTD format.

58. (Previously Presented) The digital storage medium of claim 55, wherein the operations further comprise:

sending, by the client, to the server a request to renew the license from and make payment for the renewal in response to the client determining that the available content usage in the license status indicates that the license has expired.

59. (Canceled)

60. (Canceled)

61. (Previously Presented) The digital storage medium of claim 55, wherein the available content usage indicates a fixed number of allowed play, wherein the license status is expired after the content is rendered the fixed number of allowed playbacks.

62. (Previously Presented) The digital storage medium of claim 55, wherein the available content usage indicates a duration of the content playback.

63. (Previously Presented) The method of claim 1, wherein access to the content data in response to determining that the available content usage in the license status indicates that the license has expired is permitted in response to the client not being able to connect to the server, and wherein the synchronization occurs when the client is able to reconnect to the server.

64. (Previously Presented) The method of claim 1, further comprising:

determining whether the file permits the user to continue to use the content data after the license has expired, wherein the operations of permitting access to the content data in response to determining that the license has expired and tracking content usage is performed in response to determining that the file permits the user to continue to use the content data after the license has expired.

65. (Previously Presented) The client of claim 47, wherein access to the content data in response to determining that the available content usage in the license status indicates that the license has expired is permitted in response to the client not being able to connect to the server, and wherein the synchronization occurs when the client is able to reconnect to the server.

66. (Previously Presented) The client of claim 47, wherein the operations further comprise:

determining whether the file permits the user to continue to use the content data after the license has expired, wherein the operations of permitting access to the content data in response to determining that the license has expired and tracking content usage is performed in response to determining that the file permits the user to continue to use the content data after the license has expired.

67. (Previously Presented) The digital storage medium of claim 55, wherein access to the content data in response to determining that the available content usage in the license status indicates that the license has expired is permitted in response to the client not being able to connect to the server, and wherein the synchronization occurs when the client is able to reconnect to the server.

68. (Previously Presented) The digital storage medium of claim 55, wherein the operations further comprise:

determining whether the file permits the user to continue to use the content data after the license has expired, wherein the operations of permitting access to the content

data in response to determining that the license has expired and tracking content usage is performed in response to determining that the file permits the user to continue to use the content data after the license has expired.

IX. Evidence Appendix  
None



- X.     Related Proceedings Appendix  
None